

REMARKS

The Office Action mailed February 25, 2005 has been received and carefully noted. The following remarks are submitted as a full and complete response thereto. Applicants' counsel thanks the Supervising Examiner and Primary Examiner for granting interviews concerning the outstanding Office Action and submits the following in response thereto.

A "Petition for Extension of Time" for extending the due date for responding to the Office Action by one month and a credit card payment form to cover the fee payment (\$120.00) for the extension are filed with this Amendment. Authorization is granted to charge counsel's Deposit Account No. 01-2300, referencing Attorney Docket No. 107439-00027, for any additional fees necessary for entry of this Amendment.

The Specification has been amended. Applicants submit that the amendments made herein are fully supported in the Specification, claims and the drawings, as originally filed, and therefore no new matter has been introduced. Claims 1-8 are pending in the present application and are respectfully submitted for reconsideration.

Claims 1-8 stand rejected under 35 U.S.C. § 112, first paragraph, as failing to comply with the written description requirement. Specifically, the Examiner noted that, with respect to claims 1-3, 5 and 7-8, "the term "geographic" positional data is not disclosed [in the Specification]." The rejections are respectfully traversed and reconsideration is requested.

While the term "geographic" was not expressly used in the Specification, it is noted that "there is no *in haec verba* requirement" but rather "newly added claim limitations must be supported in the specification through express, implicit or inherent disclosure" in order for the disclosure to satisfy the description requirement. See MPEP § 2163. It is submitted that the term

"geographic" in the claim language "geographic positional data" is supported in the Specification through implicit or inherent disclosure, *see* MPEP § 2163, based on the Specification providing that positional data includes coordinate data on a map (e.g., longitude and latitude data) and map images, as well as spot names (i.e., names of places), addresses, phone numbers, postal codes and additional data for explaining a relevant place. (e.g., Specification, p. 7, ls. 14-18, and p. 8, ls. 5-14) A paragraph has also been added to the Specification to provide further clarity concerning this term. It is therefore submitted that such provides the basis for the term "geographic" in the claim language "geographic positional data," that support is found in the Specification and that no new matter was added. The Specification has also been amended to correct a spelling error. Entry of these amendments and reconsideration is therefore requested.

Claims 1-8 stand rejected under 35 U.S.C. § 102(b) as being anticipated by the Kuzma patent (U.S. Patent No. 5,781,901). Dependent claims 2-6 and 8 depend from independent claim 1. The rejections are respectfully traversed and reconsideration is requested.

Independent claim 1, as previously presented, recites an e-mail sending and receiving system for sending and receiving e-mail between communication terminals, where each e-mail message is written on a Web page provided by a communication center, and each communication terminal is provided in a mobile or fixed station, the system comprising a mail generating section for generating an e-mail message to be sent to an addressee; a positional data storage section for storing a plurality of geographic positional data; and a positional data attaching section for attaching one or more of the geographic positional data stored in the positional data storage section to the e-mail message generated by the mail generating section. It is respectfully submitted that the Kuzma patent does not disclose or suggest the e-mail sending and receiving system claimed in the present invention.

Specifically, the Kuzma patent is directed to an attachment-by-reference e-mail message system. With reference to Figs. 2 and 4, the Kuzma patent discloses that when a user 210 wishes to send an attachment file with an email message to another user 212, the e-mail message 401 is transmitted along with an attachment reference 402 comprising a pointer (network address or URL) 410 that points to the actual network location of the attachment file 420, instead of actually transmitting the entire attachment file along with e-mail message 401. Such is neither equivalent nor analogous to the present invention as claimed. Specifically, the present invention comprises, in part, a positional data storage section (e.g., a database) for storing a plurality of geographic positional data (e.g., detailed information about a place or venue, including the spot name, physical address or phone number of a landmark, institution, shop, building or places of amusement) and a positional data attaching section for attaching one or more of the geographic positional data stored in the positional data storage section to an e-mail message generated by a mail generating section.

In contrast to the attachment reference of the Kuzma patent, the geographic positional data as claimed is not merely a network address or URL. Rather the geographic positional data includes coordinate data on a map (e.g., longitude and latitude data) and map images, as well as spot names (i.e., names of places), addresses, phone numbers, postal codes and additional data for explaining a relevant place. In addition, the geographic positional data of the present invention is attached with (i.e., actually transmitted) with the e-mail message generated. Indeed, whereas the Kuzma patent is directed to minimizing the amount of data transmitted with an e-mail message by using a network address or URL to reference detailed data stored in a central location on a network, the present claimed invention is directed to providing detailed data transmitted with an e-mail message. (e.g., Specification, p. 2, ls. 7-25; p. 8, ls. 5-23; p. 10, ls.

10-14; p. 10, l. 23 – p. 11, l. 3; Figs. 3A and 21-25). Accordingly, the Kuzma patent fails to disclose the present invention as claimed. Reconsideration is therefore requested.

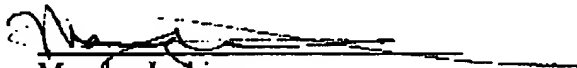
Based upon the forgoing, Applicants respectfully submit that each and every element recited within independent claim 1 is neither disclosed nor suggested by the Kuzma patent, and therefore patentable and in condition for allowance. Reconsideration is requested.

It is further submitted that dependent claims 2-8 are also patentable and in condition for allowance due to their dependency upon independent claim 1, since the dependent claims differ in scope from the parent claim. Dependent claims 2-8 depend from independent claim 1, and thus are further limited to additional features of the invention. Therefore, it is respectfully submitted that the dependent claims are patentable over the Kuzma patent for at least the reasons set forth above with respect to independent claim 1. Reconsideration is requested.

If for any reason the Examiner determines that the application is not now in condition for allowance, it is respectfully requested that the Examiner contact the Applicants' undersigned counsel at the telephone number, indicated below, to arrange for an interview to expedite the disposition of this application.

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Respectfully submitted,


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